

Message Text

CONFIDENTIAL

PAGE 01 GENEVA 00141 121212Z

11

ACTION DHA-02

INFO OCT-01 IO-11 ISO-00 ORM-02 VO-03 EA-07 SCA-01 INSE-00

L-03 SSO-00 /030 W

----- 058488

O 121147Z JAN 76

FM USMISSION GENEVA

TO SECSTATE WASHDC IMMEDIATE 7490

C O N F I D E N T I A L GENEVA 0141

FOR D/HA - SIEVERTS

E.O. 11652: GDS

TAGS: ECRC, VN, VS

SUBJECT: VIETNAMESE ORPHAN CASE

REF: GENEVA 0076

1. RE PARA 2 REFTTEL, MISSION HAS JUST RECEIVED TELEPHONE CALL FROM ICRC, HOCKE, WHO HAS BEEN INFORMED OF LETTER FROM THOMAS R. MILLER, LAWYER, OF MILLER AND MILLER, BERKELEY, CALIFORNIA, TO SECRETARY GENERAL OF NATIONAL UNION FOR CHILD WELFARE, ZUMBACH. MILLER, WHO REPRESENTS PLAINTIFFS IN VIETNAMESE ORPHAN CASE, WRITES IN PERTINENT PART AS FOLLOWS: QUOTE: IT HAS BEEN CONFIRMED THAT MR. HOCKE OF THE ICRC WILL BE IN SAN FRANCISCO TO TESTIFY BEFORE THE UNITED STATES DISTRICT COURT ON JANUARY 20. WE ARE VERY PLEASED HE WILL BE ABLE TO COME SINCE HE WILL BE A WITNESS AT THE REQUEST OF THE SIDE WE REPRESENT, THE PLAINTIFF CHILDREN. WE WOULD APPRECIATE THE OPPORTUNITY TO MEET WITH HIM IN ADVANCE SO THAT WE MIGHT KNOW WHAT QUESTIONS TO ASK IN THE EXAMINATION. END QUOTE.

2. AS YOU WILL UNDERSTAND HOCKE IS DEEPLY DISTURBED AT THIS TURN OF EVENTS AND WISHES TO REITERATE HIS POSITION, NAMELY THAT HE WOULD COME ONLY ON A PRIVATE BASIS TO SPEAK WITH THE JUDGE IN CHAMBERS AND TO OUTLINE WHAT THE ATTITUDE OF THE

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 GENEVA 00141 121212Z

ICRC IS AND WHAT ROLE IT CAN BE EXPECTED TO PLAY.

HE WILL NOT RPT NOT TESTIFY IN COURT OR MAKE ANY PUBLIC APPEARANCES AND WISHES THE ICRC PRESENCE TO BE STRICTLY DOWN-PLAYED IN ORDER THAT IT MIGHT NOT BE MISCONSTRUED, SPECIFICALLY BY THE VIETNAMESE. HE STATED THAT HE WOULD "APPROACH THE MATTER FROM THE ANGLE OF FAMILY REUNION AND NOT FROM THE ANGLE OF ADOPTION." HE ADDED THAT ICRC COULD PLAY A HELPFUL ROLE ONLY IF AGREEMENT WERE REACHED BETWEEN THE VIETNAMESE AND THE UNITED STATES TO DO SO, PROVIDED, OF COURSE, THAT SUCH AGREEMENT POSSIBLE, ADDING THAT IT WAS OUT OF THE QUESTION FOR ICRC TO MAKE APPEARANCE AT HEARING. ALTHOUGH UNSTATED, IT SEEMED IMPLICIT IN HOCKE CONVERSATION THAT UNLESS FOREGOING GROUND RULES UNDERSTOOD AND STRICTLY FOLLOWED, HE MIGHT CANCEL TRIP.

3. NONETHELESS, AT END OF CONVERSATION, HOCKE SAID HIS PRESENT PLANS CALL FOR ARRIVAL IN WASHINGTON ABOUT 5 P.M., LOCAL, JANUARY 18. DALE

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CHILDREN, REFUGEE RESETTLEMENT, LITIGATION
Control Number: n/a
Copy: SINGLE
Draft Date: 12 JAN 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: saccheem
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976GENEVA00141
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760010-0513
From: GENEVA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760167/aaaachgw.tel
Line Count: 80
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION DHA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 76 GENEVA 76
Review Action: RELEASED, APPROVED
Review Authority: saccheem
Review Comment: n/a
Review Content Flags:
Review Date: 06 MAY 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <06 MAY 2004 by SmithRJ>; APPROVED <27 SEP 2004 by saccheem>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: VIETNAMESE ORPHAN CASE
TAGS: SREF, VN, VS, ICRC
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006